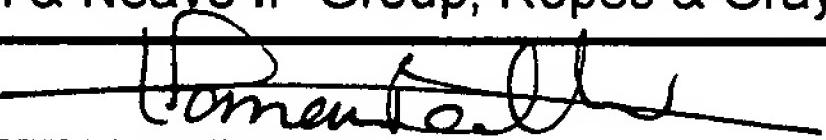


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/974,529
		Filing Date	October 9, 2001
		First Named Inventor	William L. Thomas
		Art Unit	2623
		Examiner Name	Sumaiya A. Chowdhury
Number of Pages in This Submission		Attorney Docket Number	UV-208

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Claims Appendix A; Evidence Appendix B (copy of Final Office Action dated 6/26/06); Evidence Appendix C (copy of Kambayashi U.S. Patent No. 6,157,809); Authorization to Charge Deposit Account (in duplicate); Express Mail Certification; and Return Receipt Postcard.
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Remarks</b>		
The Director is hereby authorized to charge any fee(s) that may be due under 37 C.F.R. 1.16 or 1.17 to Deposit Account Number 06-1075 (Order No. 003597-0208).		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Fish & Neave IP Group, Ropes & Gray LLP		
Signature			
Printed name	Hassan Albakri		
Date	April 16, 2007	Reg. No.	Limited Recognition No. L0013

CERTIFICATE OF EXPRESS MAIL (No. EV619637921US)			
I hereby certify that the enclosures listed above are being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to Mail Stop Appeal Briefs – Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Isatta B. Smith	Date	April 16, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc.  
www.FormsWorkflow.com



PATENTS  
UV-208

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants : William L. Thomas et al.

Application No. : 09/974,529 Confirmation No. : 9814

Filed : October 9, 2001

For : SYSTEMS AND METHODS FOR SUPPLEMENTING  
ON-DEMAND MEDIA

Group Art Unit : 2623

Examiner : Sumaiya A. Chowdhury

Mail Stop Appeal Briefs - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Sir:

The Director is hereby authorized to charge \$2,660.00  
to Deposit Account No. 06-1075 (Order No. 003597-0208), in  
payment of the Appeal Brief filing fee required under 37 C.F.R.  
§ 41.20(b)(2) and the extension of time fee required under 37  
C.F.R. § 1.17(a)(5).

The Director is hereby authorized to charge any additional fees that may be due in connection with this Appeal Brief, or credit any overpayment of the same, to Deposit Account No. 06-1075 (Order No. 003597-0208). A duplicate copy of this Authorization is transmitted herewith.

Respectfully submitted,



---

Hassan Albakri  
Limited Recognition No. L0013  
Attorney for Appellants  
FISH & NEAVE IP GROUP  
ROPES & GRAY LLP  
Customer No. 1473  
1211 Avenue of the Americas  
New York, NY 10036-8704  
Tel.: (212) 596-9000



Express Mail Label No.  
EV 619637921 US

PATENTS  
Attorney Docket No. UV-208

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants : William L. Thomas et al.

Application No. : 09/974,529 Confirmation No. : 9814

Filed : October 9, 2001

For : SYSTEMS AND METHODS FOR SUPPLEMENTING  
ON-DEMAND MEDIA

Group Art Unit : 2623

Examiner : Sumaiya A. Chowdhury

Mail Stop Appeal Briefs - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

Sir:

Appellants are filing this Appeal Brief in support of their appeal from the final rejection of claims 1-100 in the Office Action dated June 14, 2006. A Notice of Appeal for this case was filed on September 14, 2006.

Appellants hereby petition for a five-month extension of time under 37 C.F.R. § 1.136(a) for filing this Appeal Brief. With the extension, this Appeal Brief is due on or before Monday, April 16, 2007, the first business day following Saturday, April 14, 2007.

04/16/2007 NNGUYEN1 00000009 061075 09974529

01 FC:1402 500.00 DA  
02 FC:1255 2160.00 DA

The Director is hereby authorized to charge \$2660.00 to Deposit Account No. 06-1075 (Order No. 003597-0208) in payment of the filing fee required under 37 C.F.R. § 41.20(b)(2) and the extension fee required under 37 C.F.R. § 1.17(a)(5). The Director is also hereby authorized to charge any additional fees that may be due in connection with this Appeal Brief, or credit any overpayment of the same, to Deposit Account No. 06-1075 (Order No. 003597-0208). A separate Authorization to Charge Deposit Account is enclosed for these purposes (in duplicate).

Introduction

In the final Office Action dated June 14, 2006, the Examiner finally rejected claims 1-5, 7, 14, 18-19, 24-30, 32, 39, 43-44, 49-55, 57, 64, 68-69, 74-80, 82, 89, 93-94 and 99-100 under 35 U.S.C. § 102(e) as being anticipated by Kambayashi US. Patent 6,157,809 (hereinafter "Kambayashi").

Moreover, the Examiner rejected claims 8-9, 33-34, 58-59 and 83-84 under 35 U.S.C. § 103(a) as being unpatentable over Kambayashi in view of Clanton, III et al. US Patent 5,524,195 (hereinafter "Clanton"). The Examiner rejected claims 10, 35, 60 and 85 under 35 U.S.C. § 103(a) as being unpatentable over Kambayashi in view of Clanton

and Klosterman et al. US Patent 6,453,471 (hereinafter "Klosterman"). The Examiner rejected claims 11-12, 36-37, 61-62, and 86-87 under 35 U.S.C. § 103(a) as being unpatentable over Kambayashi in view of Matthews, III et al. US Patent 6,025,837 (hereinafter "Matthews I"). The Examiner rejected claims 6, 15, 31, 40, 56, 65, 81 and 90 under 35 U.S.C. § 103(a) as being unpatentable over Kambayashi in view of Bruner et al. US Patent 5,594,661 (hereinafter "Bruner"). The Examiner rejected claims 16-17, 41-42, 66-67, 91-92, 21, 46, 71 and 96 under 35 U.S.C. § 103(a) as being unpatentable over Kambayashi in view of Reimer et al. US Patent 5,696,905 (hereinafter "Reimer"). The Examiner rejected claims 20, 45, 70 and 95 under 35 U.S.C. § 103(a) as being unpatentable over Kambayashi in view of Matthews, III US Patent 5,815,145 (hereinafter "Matthews II"). The Examiner rejected claims 13, 22, 23, 38, 47, 48, 63, 72, 73, 88, 97 and 98 under 35 U.S.C. § 103(a) as being unpatentable over Kambayashi in view of Portuesi US Patent 5,987,509 (hereinafter "Portuesi").

In view of the arguments and authorities set forth below, the Board should find these rejections to be in error and should reverse the Examiner.

Appendices

This Brief has the following appendices:

Claims Appendix

Appendix A: Copy of claims 1-100 involved in this appeal;

Evidence Appendices

Appendix B: Copy of the final Office Action dated June 14, 2006;

Appendix C: Copy of Kambayashi US. Patent 6,157,809

Related Proceedings Appendix

None.

(i.) Real Party in Interest

Appellants respectfully advise the Board that the real party in interest in the above-identified patent application is United Video Properties, Inc., a corporation organized and existing under the laws of the State of Delaware, and having an office and place of business at 6922 Hollywood Boulevard, Los Angeles, CA 90028, which is the assignee of this application.

(ii.) Related Appeals and Interferences

Appellants respectfully advise the Board that there are no other appeals or interferences known to appellants, their legal representative, or their assignee that will directly affect or be directly affected by or

have a bearing on the Board's decision in the pending appeal.

(iii.) Status of Claims

Claims 1-100 are rejected in this application and are on appeal.

(iv.) Status of Amendments

Appellants have not submitted any amendment pursuant to 37 C.F.R. § 1.116 or in reply to the June 14, 2006 final Office Action, from which this appeal is being sought.

(v.) Summary of Claimed Subject Matter

Appellants' independent claims 1, 26, 51 and 76 are directed towards a method, systems and a processor readable medium for providing on-demand media with supplemental content in an interactive television application. A request for on-demand media is received from a user. In response to the request for the on-demand media, supplemental content related to the requested media is retrieved with the interactive television application. The supplemental content is provided to the user while the user views the on-demand media that is provided in response to the request.

Support in the specification for claims 1, 26, 51  
and 76 is found at least in the locations indicated in the  
following table, which also identifies the mean-plus-  
function elements of claim 26:

<b>Claim 1</b>	<b>The Specification</b>
A method for providing on-demand media with supplemental content in an interactive television application, the method comprising:	See, e.g., par. 2, par. 32, and FIG. 21.
receiving a request for on-demand media from a user;	See, e.g., par. 116 and FIG. 21.
retrieving supplemental content related to the on-demand media with the interactive television application in response to the request;	See, e.g., par. 117, pars. 121-124, and FIGS. 21-22.
providing the on-demand media in response to the request; and	See, e.g., par. 118, pars. 125-126, and FIGS. 21 and 23.
providing supplemental content to the user while the user is viewing the on-demand media.	See, e.g., pars. 119-120, pars. 127-128, and FIGS. 21 and 24.
<b>Claim 26</b>	<b>The Specification</b>
A system for providing on-demand media with supplemental content in an interactive television application, comprising:	See, e.g., par. 2, pars. 11-14, and FIGS. 1, 2A-2E, 3 and 4.
means for receiving a request for on-demand media from a user;	See, e.g., par. 36, par. 72, par. 85-87, par. 116, and FIGS. 1, 2A-2E, 3-4, 9 and 21.
means for retrieving supplemental content related to the on-demand media with the interactive television application in response to the request;	See, e.g., par. 48-49, par. 52, par. 117, pars. 121-124, and FIGS. 1, 2B, 2D, 21 and 22.

means for providing the on-demand media in response to the request; and	See, e.g., par. 46, par. 55, par. 63, par. 72, par. 118, pars. 125-126, and FIGS. 1, 2A-2E, 3-4, 11, 21 and 23.
means for providing supplemental content to the user while the user is viewing the on-demand media.	See, e.g., par. 44, pars. 48-49, par. 56, par. 63, par. 72, pars. 119-120, pars. 127-128, and FIGS. 1, 2A-2E, 3-4, 12-21 and 24.
<b>Claim 51</b>	
A system for providing on-demand media with supplemental content in an interactive television application, comprising:	See, e.g., par. 2, pars. 11-14, and FIGS. 1, 2A-2E, 3 and 4.
a user input device;	See, e.g., par. 72 and FIGS. 1, 2A-2E, 3 and 4.
a display device;	See, e.g., par. 63, par. 72, and FIGS. 1, 2A-2E, 3 and 4.
the interactive television application implemented at least partially on control circuitry and programmed to:	See, e.g., par. 42, par. 58, par. 64, par. 70 and FIGS. 1, 2A-2E, 3 and 4.
receive a request for on-demand media from a user;	See, e.g., par. 36, par. 72, par. 85-87, par. 116, and FIGS. 1, 2A-2E, 3-4, 9 and 21.
retrieve supplemental content related to the on-demand media with the interactive television application in response to the request;	See, e.g., par. 48-49, par. 52, par. 117, pars. 121-124, and FIGS. 1, 2B, 2D, 21 and 22.
provide the on-demand media in response to the request; and	See, e.g., par. 46, par. 55, par. 63, par. 72, par. 118, pars. 125-126, and FIGS. 1, 2A-2E, 3-4, 11, 21 and 23.
provide supplemental content to the user while the user is viewing the on-demand media.	See, e.g., par. 44, pars. 48-49, par. 56, par. 63, par. 72, pars. 119-120, pars. 127-128, and FIGS. 1, 2A-2E, 3-4, 12-21 and 24.

<b>Claim 76</b>	<b>The Specification</b>
A processor readable medium encoded with machine-readable instructions for providing on-demand media with supplemental content in an interactive television application, the machine-readable instructions comprising:	See, e.g., par. 32, pars. 63-64, par. 70 and FIGS. 3-4 and 21.
receiving a request for on-demand media from a user;	See, e.g., par. 116 and FIG. 21.
retrieving supplemental content related to the on-demand media with the interactive television application in response to the request;	See, e.g., par. 117, pars. 121-124, and FIGS. 21-22.
providing the on-demand media in response to the request; and	See, e.g., par. 118, pars. 125-126, and FIGS. 21 and 23.
providing supplemental content to the user while the user is viewing the on-demand media.	See, e.g., pars. 119-120, pars. 127-128, and FIGS. 21 and 24.

(vi.) Grounds of Rejection to be Reviewed on Appeal

The following ground of rejection is to be reviewed on this appeal:

Whether claims 1, 26, 51 and 76 are anticipated under 35 U.S.C. § 102(e) by Kambayashi.

(vii.) Argument

Claims 1, 26, 51 and 76

In the final Office Action dated June, 14, 2006 (hereinafter "Office Action"), the Examiner rejected claims 1, 26, 51 and 76 under 35 U.S.C. § 102(e) as being anticipated by Kambayashi. Appellants respectfully

traverse this rejection and request that it be overturned for at least the reasons set forth below.

As discussed above, each one of appellants' independent claims specifies retrieving supplemental content related to on-demand media in response to a request from a user for the on-demand media.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference". *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Appellants respectfully submit that the reference cited by the Examiner, namely Kambayashi, does not set forth retrieving supplemental content related to on-demand media in response to a request for the on-demand media, and accordingly does not anticipate any of appellants' independent claims.

Kambayashi relates in part to a broadcasting system for distributing information to a viewer about the contents of a program at the viewer's request. Each embodiment described in Kambayashi refers to retrieving information related to the content of the currently viewed program in response to a request for such information (e.g., by clicking on command button "program information"

or by clicking on a portion of a display displaying the broadcast). See Kambayashi, col. 1, lines 7-9, col. 13, line 47 through col. 14, line 32, and col. 15, line 16 through col. 16, line 8.

Claims 1, 26, 51 and 76, on the other hand, specify retrieving supplemental content in response to a request for on-demand media. Accordingly, applicants' claimed invention allows for a user to request on-demand media and, in response to such a request, retrieves supplemental content that is subsequently provided to the user. However, in relying on Kambayashi, the Examiner contends that:

Means (2c- Fig. 1) for retrieving supplemental content (sub-picture 12 - Fig. 3) related to the on-demand media with the interactive television application in response to the request (In response to the request of on-demand media by the user, the main video signal (on-demand media) along with the sub-video signal (supplemental content) is transmitted to the user end and displayed together - col. 11, lines 53-65.

Office Action, page 3, paragraph 1.

Col. 11, lines 53-65 of Kambayashi, which are referenced by the Examiner, relate to a video signal of a main picture 10 (referred to as the main video signal) and a video signal of a sub-picture 12 (referred to as the sub-video signal) as shown in Kambayashi's FIG. 3. This referenced portion describes adding a sub-video signal to a

main video signal, transmitting both in a multiplexed fashion, reproducing the corresponding main picture and sub-picture from the received multiplexed signal, and displaying the main picture and sub-picture together.

In relying on this portion of Kambayashi, the Examiner draws a parallel between the main video signal in Kambayashi's FIG. 3 and appellants' on-demand media. The Examiner also draws a parallel between the sub-video signal in Kambayahsi's FIG. 3 and appellants' supplemental content. However, it is clear that the video signals referred to in Kambayashi's col. 11, lines 54-57 relate to broadcasting content, which is content that is continuously transmitted to all users, and not to on-demand media, which is content that is provided to particular users at these users' requests. This is partly because there is no reference to any programming content that may be requested by the user in this particular section and because it is not until col. 13, line 47, as pointed to by the Examiner (see Office Action, page 1), that Kambayahsi refers to such programs. As such, the sub-video signal is transmitted with the main video signal because there is no ability to request such broadcasting content.

One of Kambayashi's stated objects is "to provide a broadcasting system capable of achieving a VOD system".

Kambayashi, col. 1, line 63 through col. 2, line 4. Hence, Kambayashi discusses transmitting both broadcasting content and on-demand programs. Col. 11, lines 54-57 pertain to broadcasting content and sub-video signals transmitted with broadcasting content and not to on-demand programs. The Examiner states that "[s]ince the sub-video signal is not part of the main video signal, it is supplemental to the main video signal." Office Action, page 3, paragraph 1. While this may be true, it does not make the sub-video signal supplemental content related to on-demand media, but merely makes the sub-video signal supplemental to broadcasting content. Accordingly, Kambayashi's sub-video signal is not supplemental content as claimed by appellants because it does not relate to any on-demand media and instead relates to broadcasting content.

On the other hand, the information about the contents of a program that is distributed to a user at the user's request, as described in Kambayashi, may be more adequately compared to appellants' supplemental content. However, each embodiment described in Kambayashi refers to retrieving information related to the content of the currently viewed program in response to a request for such information while the user is viewing the program, and not in response to a request for on-demand media which the

viewer has not yet seen. For example, information about the contents of a program may be received from a broadcasting station after a user clicks on command button "program information" while the user is viewing the program. Kambayashi, col. 1, col. 13, line 47 through col. 14, line 32. Similarly, such information may be obtained by clicking on a portion of a display displaying the program. Kambayashi, col. 15, line 16 through col. 16, line 8.

On the other hand, appellants' claims specify retrieving supplemental content in response to a request for on-demand media. Accordingly, appellants' claimed invention allows for a user to request on-demand media and, in response to such a request, retrieves supplemental content that is subsequently provided to the user. This is in stark contrast to receiving a separate request for information related to the content of a program that a user is already viewing, as referred to in Kambayashi. Therefore, Kambayashi does not show or suggest the feature of retrieving supplemental content related to on-demand media in response to a request for on-demand media from a user, as specified in independent claims 1, 26, 51 and 76. Therefore, Kambayashi does not set forth each and every

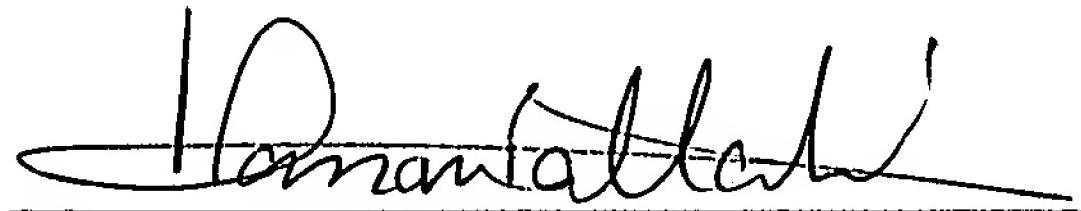
element of appellants' independent claims. Accordingly, claims 1, 26, 51 and 76 are not anticipated by Kambayashi.

For at least these reasons, appellants respectfully submit that the Board should reverse the anticipation rejection of dependent claims 1, 26, 51, and 76 under 35 U.S.C. § 102(e).

Conclusion

For the reasons set forth above, appellants respectfully submit that claims 1, 26, 51 and 76, hence claims 2-25, 27-50, 52-75 and 77-100 which depend therefrom, are in condition for allowance. The Examiner's rejections of these claims should be reversed.

Respectfully submitted,



Hassan Albakri  
Limited Recognition No. L0013  
Attorney for Appellants  
Fish & Neave IP Group  
ROPES & GRAY LLP  
Customer No. 1473  
1211 Avenue of the Americas  
New York, NY 10036-8704  
Tel.: (212) 596-9000



Claims Appendix

APPENDIX A  
CLAIMS 1-100 ON APPEAL

1. A method for providing on-demand media with supplemental content in an interactive television application, the method comprising:

receiving a request for on-demand media from a user;

retrieving supplemental content related to the on-demand media with the interactive television application in response to the request;

providing the on-demand media in response to the request; and

providing supplemental content to the user while the user is viewing the on-demand media.

2. The method defined in claim 1 wherein the on-demand media is audio-on-demand media, video-on-demand media, electronic publications, software applications, or third-party applications.

3. The method defined in claim 1 further comprising indicating the availability of supplemental content to the user.

4. The method defined in claim 1 further comprising providing a visual indicator of the availability of supplemental content.

5. The method defined in claim 4 wherein the visual indicator is selected from the group consisting of text, graphics, audio, video, and animation.

6. The method defined in claim 1 further comprising:

detecting when media on a digital storage device is accessed;

providing the user with the media in response to the detection;

receiving a request for supplemental content related to the media on the digital storage device;

retrieving the supplemental content that is related to the media on the digital storage device; and

providing the supplemental content that is related to the media on the digital storage device to the user.

7. The method defined in claim 1 wherein providing the supplemental content comprises providing supplemental content concurrently with the on-demand media.

8. The method defined in claim 1 wherein providing the supplemental content comprises providing supplemental content separately from the on-demand media.

9. The method defined in claim 1 wherein retrieving supplemental content comprises retrieving supplemental content prior to viewing the on-demand media.

10. The method defined in claim 1 wherein retrieving supplemental content comprises retrieving supplemental content prior to viewing the on-demand media using a carousel approach.

11. The method defined in claim 1 wherein retrieving supplemental content comprises storing supplemental content.

12. The method defined in claim 1 wherein retrieving supplemental content comprises locally caching the supplemental content associated with the on-demand media.

13. The method defined in claim 1 wherein the supplemental content is synchronous metadata.

14. The method defined in claim 1 further comprising:

providing the user with at least one option related to supplemental content; and

receiving an indication of the at least one option from the user.

15. The method defined in claim 1 wherein providing the supplemental content comprises providing an actor interview related to an actor the user is currently watching.

16. The method defined in claim 1 wherein providing the supplemental content comprises providing information related to an actor the user is currently watching.

17. The method defined in claim 1 wherein providing the supplemental content comprises providing

information related to an actor the user is currently watching.

18. The method defined in claim 1 wherein providing the supplemental content comprises providing interactive media related to the on-demand media.

19. The method defined in claim 18 wherein the interactive media is a survey.

20. The method defined in claim 18 wherein the interactive media is an interactive game.

21. The method defined in claim 1 wherein providing the supplemental content comprises providing information related to an audio portion of the on-demand media.

22. The method defined in claim 21 wherein providing information comprises providing links related to the audio portion of the on-demand media.

23. The method defined in claim 1 wherein providing the supplemental content comprises providing links to supplemental content related to the on-demand media.

24. The method defined in claim 1 wherein providing the on-demand media in response to the request comprises:

providing the user with at least one option related to the on-demand media; and

receiving an indication of the at least one option from the user.

25. The method defined in claim 1 wherein providing supplemental content to the user while the user is viewing the on-demand media comprises providing supplemental content to the user in response to receiving a request from the user.

26. A system for providing on-demand media with supplemental content in an interactive television application, comprising:

means for receiving a request for on-demand media from a user;

means for retrieving supplemental content related to the on-demand media with the interactive television application in response to the request;

means for providing the on-demand media in response to the request; and

means for providing supplemental content to the user while the user is viewing the on-demand media.

27. The system defined in claim 26 wherein the on-demand media is audio-on-demand media, video-on-demand media, electronic publications, software applications, or third-party applications.

28. The system defined in claim 26 further comprising means for indicating the availability of supplemental content to the user.

29. The system defined in claim 26 further comprising means for providing a visual indicator of the availability of supplemental content.

30. The system defined in claim 29 wherein the visual indicator is selected from the group consisting of text, graphics, audio, video, and animation.

31. The system defined in claim 26 further comprising means for:

detecting when media on a digital storage device is accessed;

providing the user with the media in response to the detection;

receiving a request for supplemental content related to the media on the digital storage device;

retrieving the supplemental content that is related to the media on the digital storage device; and

providing the supplemental content that is related to the media on the digital storage device to the user.

32. The system defined in claim 26 wherein the means for providing the supplemental content comprises means for providing supplemental content concurrently with the on-demand media.

33. The system defined in claim 26 wherein the means for providing the supplemental content further comprises means for providing supplemental content separately from the on-demand media.

34. The system defined in claim 26 wherein the means for retrieving supplemental content comprises means for retrieving supplemental content prior to viewing the on-demand media using a client-server based approach.

35. The system defined in claim 26 wherein the means for retrieving supplemental content comprises means for retrieving supplemental content prior to viewing the on-demand media using a carousel approach.

36. The system defined in claim 26 wherein the means for retrieving supplemental content comprises means for storing supplemental content.

37. The system defined in claim 26 wherein the means for retrieving supplemental content comprises means for locally caching the supplemental content associated with the on-demand media.

38. The system defined in claim 26 wherein the supplemental content is synchronous metadata.

39. The system defined in claim 26 further comprising:

means for providing the user with at least one option related to supplemental content; and

means for receiving an indication of the at least one option from the user.

40. The system defined in claim 26 wherein the means for providing the supplemental content comprises

means for providing an actor interview related to an actor the user is currently watching.

41. The system defined in claim 26 wherein the means for providing the supplemental content comprises means for providing information related to an actor the user is currently watching.

42. The system defined in claim 26 wherein the means for providing the supplemental content comprises means for providing information related to an actor the user is currently watching.

43. The system defined in claim 26 wherein the means for providing the supplemental content comprises means for providing interactive media related to the on-demand media.

44. The system defined in claim 43 wherein the interactive media is a survey.

45. The system defined in claim 43 wherein the interactive media is an interactive game.

46. The system defined in claim 26 wherein the means for providing the supplemental content comprises means for providing information related to an audio portion of the on-demand media.

47. The system defined in claim 46 wherein the means for providing information comprises means for

providing links related to the audio portion of the on-demand media.

48. The system defined in claim 26 wherein the means for providing the supplemental content comprises means for providing links to supplemental content related to the on-demand media.

49. The system defined in claim 26 wherein the means for providing the on-demand media in response to the request comprises:

means for providing the user with at least one option related to the on-demand media; and

means for receiving an indication of the at least one option from the user.

50. The system defined in claim 26 wherein the means for providing supplemental content to the user while the user is viewing the on-demand media comprises means for providing supplemental content to the user in response to receiving a request from the user.

51. A system for providing on-demand media with supplemental content in an interactive television application, comprising:

a user input device;

a display device;

the interactive television application implemented at least partially on control circuitry and programmed to:

receive a request for on-demand media from a user;

retrieve supplemental content related to the on-demand media with the interactive television application in response to the request;

provide the on-demand media in response to the request; and

provide supplemental content to the user while the user is viewing the on-demand media.

52. The system defined in claim 51 wherein the on-demand media is audio-on-demand media, video-on-demand media, electronic publications, software applications, or third-party applications.

53. The system defined in claim 51 wherein the interactive television application is further programmed to indicate the availability of supplemental content to the user.

54. The system defined in claim 51 wherein the interactive television application is further programmed to provide a visual indicator of the availability of supplemental content.

55. The system defined in claim 54 wherein the visual indicator is selected from the group consisting of text, graphics, audio, video, and animation.

56. The system defined in claim 51 further comprising:

a digital storage device adapted to:  
detect when media on a digital storage device is accessed; and

provide the user with the media in response to the detection;

wherein the interactive television application is further programmed to:

receive a request for supplemental content related to the media on the digital storage device;

retrieve the supplemental content that is related to the media on the digital storage device; and

provide the supplemental content that is related to the media on the digital storage device to the user.

57. The system defined in claim 51 wherein the interactive television application is further programmed to provide supplemental content concurrently with the on-demand media.

58. The system defined in claim 51 wherein the interactive television application is further programmed to provide supplemental content separately from the on-demand media.

59. The system defined in claim 51 wherein the interactive television application is further programmed to retrieve supplemental content prior to viewing the on-demand media.

60. The system defined in claim 51 wherein the interactive television application is further programmed to retrieve supplemental content prior to viewing the on-demand media using a carousel approach.

61. The system defined in claim 51 wherein the interactive television application is further programmed to store the supplemental content.

62. The system defined in claim 51 wherein the interactive television application is further programmed to locally cache the supplemental content associated with the on-demand media.

63. The system defined in claim 51 wherein the supplemental content is synchronous metadata.

64. The system defined in claim 51 wherein the interactive television application is further programmed to:

provide the user with at least one option related to supplemental content; and

receive an indication of the at least one option from the user.

65. The system defined in claim 51 wherein the interactive television application is further programmed to provide an actor interview related to an actor the user is currently watching.

66. The system defined in claim 51 wherein the interactive television application is further programmed to provide information related to an actor the user is currently watching.

67. The system defined in claim 51 wherein the interactive television application is further programmed to

provide information related to an actor the user is currently watching.

68. The system defined in claim 51 wherein the interactive television application is further programmed to provide interactive media related to the on-demand media.

69. The system defined in claim 68 wherein the interactive media is a survey.

70. The system defined in claim 68 wherein the interactive media is an interactive game.

71. The system defined in claim 51 wherein the interactive television application is further programmed to provide information related to an audio portion of the on-demand media.

72. The system defined in claim 51 wherein the interactive television application is further programmed to provide links related to the audio portion of the on-demand media.

73. The system defined in claim 51 wherein the interactive television application is further programmed to provide links to supplemental content related to the on-demand media.

74. The system defined in claim 51 wherein the interactive television application is further programmed to:

provide the user with at least one option related to the on-demand media; and

receive an indication of the at least one option from the user.

75. The system defined in claim 51 wherein the interactive television application is further programmed to provide supplemental content to the user in response to receiving a request from the user.

76. A processor readable medium encoded with machine-readable instructions for providing on-demand media with supplemental content in an interactive television application, the machine-readable instructions comprising:

receiving a request for on-demand media from a user;

retrieving supplemental content related to the on-demand media with the interactive television application in response to the request;

providing the on-demand media in response to the request; and

providing supplemental content to the user while the user is viewing the on-demand media.

77. The processor readable medium defined in claim 76 wherein the on-demand media is audio-on-demand media, video-on-demand media, electronic publications, software applications, or third-party applications.

78. The processor readable medium defined in claim 76 wherein the machine-readable instructions also

indicate the availability of supplemental content to the user.

79. The processor readable medium defined in claim 76 wherein the machine-readable instructions also provide a visual indicator of the availability of supplemental content.

80. The processor readable medium defined in claim 79 wherein the visual indicator is selected from the group consisting of text, graphics, audio, video, and animation.

81. The processor readable medium defined in claim 76 wherein the machine-readable instructions also:

detect when media on a digital storage device is accessed;

provide the user with the media in response to the detection;

receive a request for supplemental content related to the media on the digital storage device;

retrieve the supplemental content that is related to the media on the digital storage device; and

provide the supplemental content that is related to the media on the digital storage device to the user.

82. The processor readable medium defined in claim 76 wherein the machine-readable instructions also provide supplemental content concurrently with the on-demand media.

83. The processor readable medium defined in claim 76 wherein the machine-readable instructions also provide supplemental content separately from the on-demand media.

84. The processor readable medium defined in claim 76 wherein the machine-readable instructions also retrieve supplemental content prior to viewing the on-demand media.

85. The processor readable medium defined in claim 76 wherein the machine-readable instructions also retrieve supplemental content prior to viewing the on-demand media using a carousel approach.

86. The processor readable medium defined in claim 76 wherein the machine-readable instructions also store the supplemental content.

87. The processor readable medium defined in claim 76 wherein the machine-readable instructions also locally cache the supplemental content associated with the on-demand media.

88. The processor readable medium defined in claim 76 wherein the supplemental content is synchronous metadata.

89. The processor readable medium defined in claim 76 wherein the machine-readable instructions also:

provide the user with at least one option related to supplemental content; and

receive an indication of the at least one option from the user.

90. The processor readable medium defined in claim 76 wherein the machine-readable instructions also provide an actor interview related to an actor the user is currently watching.

91. The processor readable medium defined in claim 76 wherein the machine-readable instructions also provide information related to an actor the user is currently watching.

92. The processor readable medium defined in claim 76 wherein the machine-readable instructions also provide information related to an actor the user is currently watching.

93. The processor readable medium defined in claim 76 wherein the machine-readable instructions also provide interactive media related to the on-demand media.

94. The processor readable medium defined in claim 76 wherein the interactive media is a survey.

95. The processor readable medium defined in claim 94 wherein the interactive media is an interactive game.

96. The processor readable medium defined in claim 76 wherein the machine-readable instructions also

provide information related to an audio portion of the on-demand media.

97. The processor readable medium defined in claim 76 wherein the machine-readable instructions also provide links related to the audio portion of the on-demand media.

98. The processor readable medium defined in claim 76 wherein the machine-readable instructions also provide links to supplemental content related to the on-demand media.

99. The processor readable medium defined in claim 76 wherein the machine-readable instructions also:

provide the user with at least one option related to the on-demand media; and

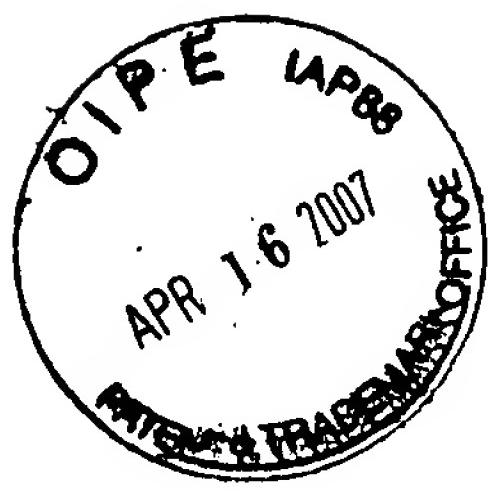
receive an indication of the at least one option from the user.

100. The processor readable medium defined in claim 76 wherein the machine-readable instructions also provide supplemental content to the user in response to receiving a request from the user.

Evidence Appendices

APPENDIX B

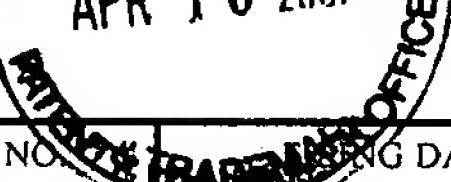
COPY OF THE FINAL OFFICE ACTION DATED JUNE 14, 2006





## UNITED STATES PATENT AND TRADEMARK OFFICE

APR 16 2007



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/974,529	10/09/2001	William L. Thomas	UV-208	9814

1473 7590 06/14/2006

FISH & NEAVE IP GROUP  
ROPES & GRAY LLP  
1251 AVENUE OF THE AMERICAS FL C3  
NEW YORK, NY 10020-1105

**RECEIVED**

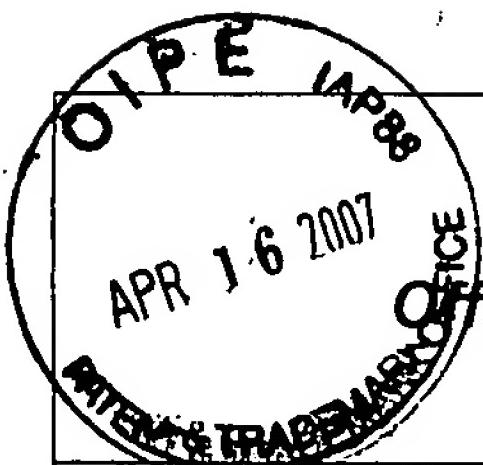
JUN 19 2006

DATE MAILED: 06/14/2006

ROPS & GRAY LLP - PATENT DEPT.  
REFERRED TO HA  
NOTED BY JTB

File No.: UV/208  
Action Desc: OA Response due  
Due Date: September 14, 2006  
By JTB

File No.: UV/208  
Action Desc: Notice of Appeal due  
Due Date: December 14, 2006  
By JTB



## Office Action Summary

Application No.	THOMAS ET AL.
Examiner	Art Unit
Sumaiya A. Chowdhury	2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 28 March 2006.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-100 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-100 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) Notice of Informal Patent Application (PTO-152)  
6) Other: \_\_\_\_\_.



### ***Response to Arguments***

Applicant's arguments with respect to claims 1-100 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 7, 14, 18-19, 24-30, 32, 39, 43-44, 49-55, 57, 64, 68-69, 74-80, 82, 89, 93-94, 99, and 100, are rejected under 35 U.S.C. 102(e) as being anticipated by Kambayashi (6157809).

As for claims 1, 26, and 76 Kambayashi discloses a method, system, and processor readable medium (2 – Fig. 1) comprising:

Means (2c – Fig. 1) for receiving a request for on-demand media (10 – Fig. 3 & 12) from a user (The on-demand media as shown in 10-Fig. 3 is displayed when a request is received from the user - col. 13, lines 46-51, col. 14, lines 64-65);

Means (2c– Fig. 1) for retrieving supplemental content (sub-picture 12 – Fig. 3) related to the on-demand media with the interactive television application in response to the request (In response to the request of on-demand media by the user, the main video signal (on-demand media) along with the sub-video signal (supplemental content) is transmitted to the user end and displayed together - col. 11, lines 53-65. Since the sub-video signal is not part of the main video signal, it is supplemental to the main video signal.);

Means (1 – Fig. 1) for providing the on-demand media in response to the request (col. 13, lines 46-51); and

Means (1 – Fig. 1) for providing supplemental content to the user while the user is viewing the on-demand media (While the user is viewing the on-demand media, the supplemental content – “Program Information” is displayed along with the on-demand media. Since the “Program Information” is not part of the main video signal, it is supplemental content. - col. 14, lines 45-56).

As for claims 2, 27, 52, and 77, Kambayashi discloses wherein the on-demand media is video-on-demand media – col. 14, lines 64-65.

As for claims 3, 28, 53, and 78, Kambayashi discloses indicating the availability of supplemental content to the user (13 – Fig. 12, col. 14, lines 42-46).

As for claims 4, 29, 54, and 79, Kambayashi discloses providing a visual indicator (13 – Fig. 12) of the availability of supplemental content (The window (13 – Fig. 12) indicates whether or not supplemental content is available – col. 14, lines 42-46).

As for claims 5, 30, 55, and 80, Kambayashi discloses wherein the visual indicator is selected from the group consisting of text (Referring to Fig. 12, the window (13) comprises of text).

As for claims 7, 32, 57, and 82, Kambayashi discloses providing the supplemental content (12– Fig. 3) comprises providing supplemental content concurrently with the on-demand media (col. 11, lines 46-53).

As for claims 14, 39, 64, 89, 24, 49, 74, and 99, Kambayashi discloses: providing the user with at least one option related to supplemental content; and receiving an indication of the at least one option from the user (The system provides the user the option to select to view the program information of the program. The user then selects whether or not he/she would like to view it – col. 13, lines 50-56, col. 14, lines 45-50).

As for claims 18, 43, 68, and 93, Kambayashi discloses wherein providing the supplemental content comprises providing interactive media (12 – Fig. 28) related to the on-demand media (col. 21, line 49 – col. 22, line 5).

As for claims 19, 44, 69, and 94, Kambayashi discloses wherein the interactive media is a survey (col. 21, line 49 – col. 22, line 5).

As for claims 25, 50, 75, and 100, Kambayashi discloses providing supplemental content to the user in response to receiving a request from the user (As discussed above in claim 1, supplemental content (12 – Fig. 3) is provided in response to receiving a request from the user for on-demand media).

Claim 51 contains limitations of claim 1 and is analyzed as previously discussed with respect to that claim. Claim 51 additionally calls for the following:

- a user input device (mouse; col. 12, lines 1-2);
- a display device (2b – Fig. 1);

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 8-9, 33-34, 58-59, and 83-84, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi in view of Clanton (5524195).

As for claims 8, 33, 58, and 83, Kambayashi fails to disclose providing supplemental content separately from the on-demand media.

In an analogous art, Clanton discloses wherein the user views a preview (supplemental content) separate from the movie (Fig. 10; col. 10, lines 29-35, lines 53-58).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include providing supplemental content separately from the on-demand media, as taught by Clanton, for the advantage of providing the user the enhanced experience of viewing only supplemental content on a display rather than dividing the screen and displaying supplemental content along with on-demand media.

As for claims 9, 34, 59, and 84, Kambayashi fails to disclose retrieving supplemental content prior to viewing the on-demand media.

In an analogous art, Clanton discloses wherein a movie preview (supplemental content) is viewed prior to selecting to watch the movie – (Fig. 10; col. 10, lines 42-48).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include wherein a movie preview (supplemental content) is viewed prior to selecting to watch the movie, as

taught by Clanton, for the advantage of providing the user with content which will inform the user about the movie.

3. Claims 10, 35, 60, and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi in view of Clanton and Klosterman (6,453,471).

As for claims 10, 35, 60, and 85, Kambayashi fails to disclose retrieving supplemental content prior to viewing the on-demand media using a carousel approach.

In an analogous art, Clanton discloses wherein a movie preview (supplemental content) is viewed prior to selecting to watch the movie - (Fig. 10; col. 10, lines 42-48).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include wherein a movie preview (supplemental content) is viewed prior to selecting to watch the movie, as taught by Clanton, for the advantage of providing the user with content which will inform the user about the movie.

In an analogous art, Klosterman discloses wherein data is transmitted using a carousel approach so that each trailer is retransmitted cyclically and will be rebroadcast after a short delay – col. 3, lines 12-16, col. 8, lines 52-55.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include wherein data is transmitted using a carousel approach, as taught by Klosterman, for the advantage of retransmitting each segment cyclically after a delay to ensure reliable data transmission.

4. Claims 11-12, 36-37, 61-62, and 86-87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi as applied to claim 1 above, and further in view of Matthews (6025837).

As for claims 11, 36, 61, and 86, Kambayashi fails to disclose retrieving supplemental content comprises storing supplemental content.

In an analogous art, Matthews teaches caching (storing) supplemental content such that the interactive functionality is handled locally, and as a result, load is reduced on the network – col. 7, lines 30-43.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include caching supplemental content, as taught by Matthews, for the advantage of reducing load on the network.

As for claims 12, 37, 62, and 87, Kambayashi teaches retrieving supplemental content associated with the on-demand media as discussed above in claim 1 but fails to teach locally caching the supplemental content.

In an analogous art, Matthews teaches caching (storing) supplemental content such that the interactive functionality is handled locally, and as a result, load is reduced on the network – col. 7, lines 30-43.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include caching supplemental content, as taught by Matthews, for the advantage of reducing load on the network.

5. Claims 6, 15, 31, 40, 56, 65, 81 and 90, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi in view Bruner (5594661).

As for claims 6, 31, 56, and 81, Kambayashi fails to disclose:

Detecting when media on a digital storage device is accessed;

Providing the user with the media in response to the detection;

Receiving a request for supplemental content related to the media on the digital storage device;

Retrieving the supplemental content that is related to the media on the digital storage device;

Providing the supplemental content that is related to the media on the digital storage device to the user.

In an analogous art, Bruner teaches:

- a) Detecting when media (program related to movies) on a digital storage device (118 – Fig. 1; col. 2, lines 33-36) is accessed (col. 3, lines 21-26);
- b) Providing the user with the media in response to the detection (col. 3, lines 21-26);

- c) Receiving a request for supplemental content (program related to recent movie releases) related to the media on the digital storage device (col. 3, lines 45-50);
- d) Retrieving the supplemental content that is related to the media on the digital storage device (col. 3, lines 45-50);
- e) Providing the supplemental content that is related to the media on the digital storage device to the user (col. 3, lines 45-50).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include steps a) – e), as taught by Bruner, for the advantage of allowing the user to select media and supplemental content as desired.

As for claims 15, 40, 65, and 90, Kambayashi discloses providing supplemental content as discussed above but fails to disclose providing an actor interview of an actor.

In an analogous art, Bruner discloses providing an actor interview related to an actor the user is currently watching – col. 4, lines 7-17.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include providing an actor interview of an actor as supplemental content, as taught by Bruner, for the advantage of providing the user with additional content about the actor.

6. Claims 16-17, 41-42, 66-67, 91-92, 21, 46, 71, and 96, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi in view of Reimer (5696905).

As for claims 16-17, 41-42, 66-67, and 91-92, Kambayashi discloses providing information relating to content the user is currently watching as discussed above but fails to disclose providing information related to an actor.

In an analogous art, Reimer discloses wherein the supplemental content provided are actor biographies – col. 11, lines 38-42.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi 's invention to include wherein the supplemental content provided are actor biographies, as taught by Reimer, for the advantage of providing the user with additional information to learn about an actor.

As for claims 21, 46, 71, and 96, Kambayashi fails to disclose providing information related an audio portion of the on-demand media.

In an analogous art, Reimer discloses wherein the user selects to view a scene while listening to voice overs of director or actor with their comments about the scene - col. 5, lines 48-52.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include providing information related an audio portion of the on-demand media, as taught by Reimer, for the advantage of providing the user with supplemental audio content.

7. Claims 20, 45, 70, and 95, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi in view of Matthews (5815145).

As for claims 20, 45, 70, and 95, Kambayashi fails to disclose wherein the interactive media is an interactive game.

In an analogous art, Matthews discloses wherein the interactive media is an interactive game – col. 9, lines 40-43.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include wherein the interactive media is an interactive game, as taught by Matthews, for the advantage of allowing the user to play a game simultaneously with other users.

8. Claims 13, 22, 23, 38, 47, 48, 63, 72, 73, 88, 97, and 98, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi in view of Portuesi (5987509).

As for claims 13, 38, 63, and 88, Kambayashi fails to disclose wherein the supplemental content is synchronous metadata.

In an analogous art, Portuesi discloses wherein the embedded URLs (supplemental content) are transmitted along with the movie file – col. 4, lines 30-4w0, col. 5, lines 43-60.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include wherein the supplemental content is synchronous metadata, as taught by Portuesi, for the advantage of simplifying transmission of a file by transmitting both content in one file.

As for claims 22, 47, 72, and 97, Kambayashi fails to disclose providing links related to the audio portion of the on-demand media.

In an analogous art, Portuesi discloses wherein the URLs are associated with the audio in the movie file – col. 5, lines 60-67.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include wherein the URLs are associated with the audio portion in the movie file, as taught by Portuesi, for the advantage of providing the user with the additional feature of accessing desired audio files by simply clicking on a link..

As for claims 23, 48, 73, and 98, Kambayashi discloses providing supplemental content related to the on-demand media but fails to disclose providing links to content.

In an analogous art, Portuesi discloses that URLs are embedded in images which a user could click on for the advantage of accessing related information – col. 6, lines 3-20.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include providing links to content which the user could click on, as taught by Portuesi, for the advantage of providing the user the convenience of accessing information by simply clicking on a link.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

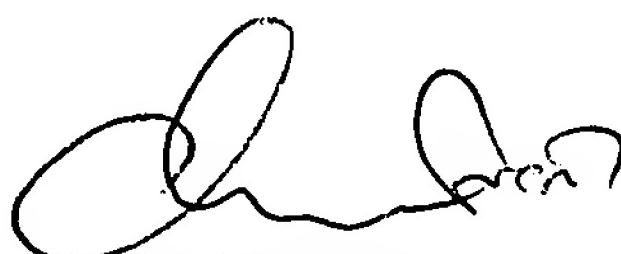
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumaiya A. Chowdhury whose telephone number is (571) 272-8567. The examiner can normally be reached on Mon-Fri, 9-5:00.

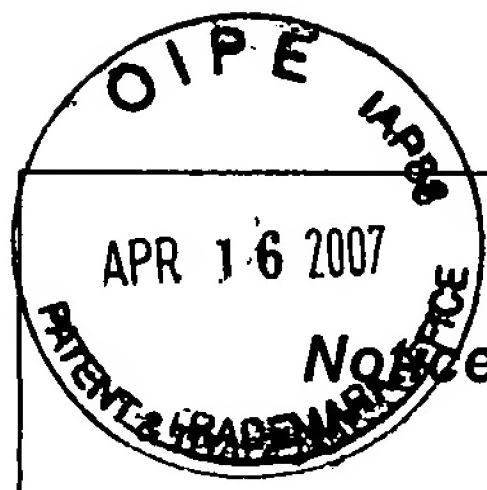
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAC



CHRISTOPHER GRANT  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600



APR 16 2007

## Notice of References Cited

Application/Control No.

09/974,529

Applicant(s)/Patent Under

Reexamination

THOMAS ET AL.

Examiner

Sumaiya A. Chowdhury

Art Unit

2623

Page 1 of 1

## U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,157,809	12-2000	Kambayashi, Toru	725/91
*	B	US-5,696,905	12-1997	Reimer et al.	705/27
*	C	US-6,453,471	09-2002	Klosterman, Brian Lee	725/41
*	D	US-5,987,509	11-1999	Portuesi, Michael J.	725/113
*	E	US-5,815,145	09-1998	Matthews, III, Joseph H.	725/41
*	F	US-5,594,661	01-1997	Bruner et al.	725/87
*	G	US-5,524,195	06-1996	Clanton et al.	725/61
*	H	US-6,025,837	02-2000	Matthews et al.	715/721
I	US-				
J	US-				
K	US-				
L	US-				
M	US-				

## FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

## NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)

Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



APPENDIX C  
COPY OF KAMBAYASHI U.S. PATENT NO. 6,157,809

Related Proceedings Appendix

None.



Related Proceedings Appendix

None.

